

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 7/10/2012	(3) CONTACT/PHONE Brian Pedrotti, Planner III / 805-788-2788	
(4) SUBJECT A request for the Board of Supervisors to authorize the use of alternative publication procedures for an amendment to Sections 22.112.030.B and 22.112.080.G of the Land Use Ordinance (LRP2011-00001 - Dana Adobe). Supervisorial District 4.			
(5) RECOMMENDED ACTION That the Board of Supervisors: 1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the County indicating the general nature of the proposed Ordinance amendments that will be considered on July 17, 2012, can act as the alternative publication. 2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) District 4			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner III

VIA: Kami Griffin, Assistant Director, Department of Planning and Building

DATE: 7/10/2012

SUBJECT: A request for the Board of Supervisors to authorize the use of alternative publication procedures for an amendment to Sections 22.112.030.B and 22.112.080.G of the Land Use Ordinance (LRP2011-00001 - Dana Adobe). Supervisorial District 4.

RECOMMENDATION

That the Board of Supervisors:

1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the County indicating the general nature of the proposed Ordinance amendments that will be considered on July 17, 2012, can act as the alternative publication.
2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On July 17, 2012, your Board will hold public hearings for the amendments to the Land Use Ordinance, Title 22 of the County Code. The California Government Code, Section 25124, establishes specific publication requirements for ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

On July 17, 2012, your Board will hold public hearings on the following amendments that have been considered and recommended for approval by the Planning Commission:

A request by the DANA ADOBE NIPOMO AMIGOS (DANA) for: 1) a Land Use Ordinance (LUO) Amendment to Section 22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe), and Section 22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe). The project would allow the applicant to process a CUP for the site to include a visitor's center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, and associated support features. The project would result in the disturbance of approximately 6.55 acres of the 30-acre site (owned by DANA) and approximately 1.75 acres of the 100-acre site (owned by the County and leased by DANA). The project is located on the east side of South Oakglen Avenue, approximately one mile southeast of West Tefft Street, within and immediately adjacent to the community of Nipomo, in the South County Inland planning area.

County File No: **LRP2011-00001**
Supervisorial District: 4

APN: 090-171-011, -030, -031, -032, and -036
Date Accepted: N/A

Staff Comments

The California Government Code establishes specific publication requirements for ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in a newspaper of general circulation in the county, indicating the general nature of the proposed Land Use Ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

Because publication of a display advertisement would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

Applicable agencies and Community Advisory Committees were provided referrals of the amendments.

FINANCIAL CONSIDERATIONS

Reproducing the complete text of all of the amendments contained in this Ordinance Amendment would cost approximately 50 percent more than the cost of two quarter-page display ads. Application fees for privately initiated amendments include advertising expenses.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments.